

1 **HONORABLE MARC L. BARRECA**
2 **CHAPTER 13**
3 **HEARING DATE: JUNE 23, 2021**
4 **HEARING TIME: 9 AM**
5 **HEARING LOCATION: TELEPHONE**
6 **RESPONSE DATE: JUNE 16, 2021**

7
8 **U.S. BANKRUPTCY COURT**
9 **WESTERN DISTRICT OF WASHINGTON**

10 In re:

11 RONALD E. HOWELL and DEE L
12 SHISHIDO,

13 Debtors,

Bankruptcy Case #: 15-15924-MLB

DECLARATION OF DEE
SHISHIDO RE:

MOTION TO STRIKE MOTION TO
VACATE DEFAULT AND
RESPONSE TO MOTION TO
VACATE DEFAULT ORDER
AGAINST NAVIENT

16
17 The undersigned, under penalty of perjury of the laws of the State of Washington,
18 does hereby attest as follows:

- 19 1. My name is Dee Shishido. I am one of the debtors in this matter.
- 20 2. Prior to April of 2021, I was continuously receiving messages in various forms from
- 21 "Navient" asking and/or demanding that I pay money which it asserted I owed to them
- 22 for student loans. The messages came in the mail by written statements; by voice mail;
- 23 and by text to my phone.

24 DECLARATION OF DEE SHISHIDO RE: DEBTORS REPLY TO NAVIENT
MOTION TO VACATE JUDGMENT OF CONTEMPT

1 of 3.

LAW OFFICE OF TOM SEGUINE
1023 South Third
Mount Vernon, WA 98273
360-755-1000

1 3. Attached here as exhibit A is my transcriptions of the date of voicemails left on my
2 phone from Navient.

3 4. Attached here as exhibit B are screenshots of the text messages I received from
4 Navient.

5 5. Attached here as exhibit C is a copy of the statement I just received from Navient, in
6 my mail, on June 15, 2021.

7 6. After April the voicemails and text messages stopped.

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9 SWORN this 16th day of June, 2021, in Stanwood, WA

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11 /s/ Dee Shishido

Dee Shishido

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DECLARATION OF DEE SHISHIDO RE: DEBTORS REPLY TO NAVIENT
MOTION TO VACATE JUDGMENT OF CONTEMPT
2 of 3.

LAW OFFICE OF TOM SEGUINE
1023 South Third
Mount Vernon, WA 98273
360-755-1000

Certificate of Service

I am employed in Skagit County, Washington, State of Washington. I am over the age of 18 and am not a party to the within action; my business address is 1023 South 3rd Mount Vernon, WA 98273.

On or about June 16, 2021 I served a copy of this documents on the interested parties in this action, listed below, in one or more of the following manner(s):

BY REGULAR MAIL: I placed copies of the document in sealed envelopes and caused such envelopes to be deposited in the United States mail with postage thereon fully prepaid and addressed as stated in the attached service list.

BY HAND DELIVERY: I placed copies of the document in sealed envelopes and caused such envelopes to be delivered by messenger to the addresses as stated on the attached service list.

BY FACSIMILE: I served the document by facsimile to the facsimile numbers stated on the attached service list by each party and/or attorney of record.

BY ELECTRONIC MAIL: I electronically transmitted copies of the document to the most recent known email address of the addressee.

OTHER: _____



Service List

Samuel J. Dart, WSBA 47871
Eisenhower Carlson
900 A. Street, Ste. 600
Tacoma WA 98402
Also sent by email to sdart@eisenhowerloaw.com
Counsel to Navient Solutions LLC and Navient Corp.

Joseph A. Florczak
77 W. Wacker Drive, Ste. 4100
Chicago IL 60601
Also sent by email to jflorczak@mcguirewoods.com
Counsel to Navient Solutions LLC and Navient Corp.

DECLARATION OF DEE SHISHIDO RE: DEBTORS REPLY TO NAVIENT
MOTION TO VACATE JUDGMENT OF CONTEMPT
3 of 3.

LAW OFFICE OF TOM SEGUINE
1023 South Third
Mount Vernon, WA 98273
360-755-1000

Ex. A

Transcribed Voicemails
from Navient
March and April 2021

Monday March 29th, 2021 10:15am from 1-888-272-5543

Hi this is Shelby calling from Navient department of education. Please call us back at 1-888-913-7654

Tuesday March 29th, 2021 8:12am from 1-888-272-5543

Hi, this call is for Dee Shishido. Dee, this is Shreesed calling from Navient. If you could please return our call at 1-877-493-7438 we do need to hear from you

Tuesday April 13th, 2021 1:45pm from 1-272-888-3156

Good afternoon, this message is for Dee Shishido. This is a message from Peter Mayo from Navient today and Dee, the reason for the call is that we here at Navient are trying to reach out to you to offer assistance on your student loans due to COVID19. Now Dee, because of the pandemic, Navient is trying to reach out to you to offer you some help on your student loans. We hope that you and your family are well and okay during this pandemic that we are all going through. When you have a moment, please give us a call. Our number here at Navient is 1-800-891-7628 again it's 1-800-891-7628. We are available Monday through Friday between 8am and 9pm eastern standard time and also Saturdays between 8am and 12pm eastern standard time. Thank you for taking my call. Once again, my name is Peter and I'm calling with Navient. You have a great day.

April 19th, 2021 1:43pm from 1-765-637-0804

This message is for Dee Shishido. This is a message from Peter Mayo from Navient calling you today and the reason for the call is that we here at Navient are trying to reach out to offer you some help and some assistance that are available on your student loans due to COVID19. Now Dee, because of the pandemic, Navient is prepared to provide you with assistance on your student loans due to COVID19. We hope that you and your family are well and are ok during this pandemic that we are all going through. Please call us at 1-800-891-7628 that's 1-800-891-7628. Thank you for taking my call and hope that everything is well with you. We are available Monday through Friday between the hours of 8am to 9pm eastern standard time. Have a good day.

Ex. B

Screenshots of Navient
text messages

9:09

1X 85%

< 57207



hardship. To postpone
a payment on your
Navient federal loans,
reply YES. Reply STOP
to opt out.

(Free msg 8/8) Please
reply YES if you are
in hardship, agree
to these terms, and
request forbearance
of your next payment.
Reply STOP to opt out.

(Free msg 2/8) Your
options may include
consolidation,
deferment,
forbearance,
public service loan
forgiveness, and
discharge. Reply
STOP to opt out.

11:55



9:07

1X 85%

< 57207



loans serviced by
Navient. Reply STOP to
opt out.

(Free msg 1/8) Having
long-term difficulty?
Call 877-931-7676
or visit Navient.com
for Income-Driven
Repayment plans or
other options. Reply
STOP to opt out.

(Free msg 3/8) Are
you experiencing a
temporary financial
hardship? To
postpone a payment
on your Navient
federal loans, reply
YES. Reply STOP to
opt out.

8:53 AM



(Free msg 7/8) Your



Ex. C

Copy of Navient Statement
June 2021

NAVIENT

P.O. BOX 9500
WILKES-BARRE, PA 18773-9500

0XPR0G01-202106 00024418 007019 014279 1/2 000000 9005889 28569-28572



DEE L SHISHIDO
31707 W. LAKE KETCHU
M ROAD
STANWOOD WA 98292-9709

DEE, interest is accruing while your student loan payments are postponed.

We want you to know that interest accrues during the forbearance period on your loans. If the interest isn't paid as it accrues, it may be capitalized (added to your principal balance).

Remember, you can shorten or cancel your forbearance period at any time.

Below is the Unpaid Principal and the Unpaid Interest that has accrued on your loan(s) as of 06/01/21:

Unpaid Principal:	\$5,952.02
Unpaid Interest:	\$494.55
Current Balance:	\$6,446.57

See the table at the end of this letter for interest accrual and anticipated capitalization for each of your loans listed.

Remember: You're obligated to repay your loans after periods of forbearance expire in accordance with the terms of your Promissory Notes.

Pay a little now, save a lot later. Even if you aren't required to, we encourage you to make payments, no matter how small, this will help reduce your future obligation.

- By making payments now, you can potentially reduce the amount of interest that you'll have to pay over the life of your loans.
- If you choose not to send payments, you won't be considered past due, since payments aren't required at this time.
- Postponing payments can increase your total cost if accrued interest is added to your principal balance. Consider paying some, or all, of this interest to help keep future payments manageable.

Account number
9650687691 - 1

Date
06/01/21

Manage your account online
Navient.com

Contact us
888-272-5543

Monday – Thursday,
8 a.m. – 9 p.m.
Friday, 8 a.m. – 8 p.m. Eastern

Loan Repayment Calculator



Paying **even a little extra** each month **could save you money** over the life of your loan.

Use this tool to see how:
Navient.com/loan-calculator

Detach along perforation and return with your payment or go to Navient.com to make an electronic payment. Include your account number on your check and instructions for payment application on a separate piece of paper if you want the payment applied in a specific manner.

Account Number 9650687691-1

Total Amount Enclosed \$ _____

Send checks or money order to:

Make checks payable to Navient (U.S. Currency only – Do not send cash)

Navient

PO BOX 9533
WILKES-BARRE, PA 18773-9533

Changed your address or phone number?
Please visit Navient.com to update your information.



99106L038008 96506876919 000049455

9650687691125665399



P263

SYSTEM

S

0001

Ways you can pay

Online: The fastest way to make a payment is by visiting Navient.com. To pay the interest accruing on your loans in forbearance, please use the Specify for Each Loan option and enter the amount that you would like to pay towards each loan. With our mobile site, it's easy to pay on your smartphone, too.

By phone: Call us at 888-272-5543.

By mail: Send checks or money orders to Navient, P.O. Box 9533, Wilkes-Barre, PA 18773-9533. Make sure to include your statement or write your account number on the check or money order.

Review the below breakdown of your loans for more information regarding capitalization and interest.

We're here to help

We want to help you manage your account in a way that's convenient for you. Visit us online or give us a call.

Important disclosure(s)*Capitalization of Interest*

Unpaid interest may be capitalized (added to your principal balance) at the end of the grace period, at the end of a deferment, at the end of each individual forbearance, when the loan enters repayment, and upon certain conditions while enrolled in an income-driven repayment (IDR) plan. For Subsidized Stafford Loans first disbursed prior to July 1, 2000, Unsubsidized Stafford Loans first disbursed prior to October 7, 1998, and all PLUS and Consolidation Loans, unpaid interest may also be capitalized as often as quarterly during in school, grace, deferment, or forbearance periods. Please see your Promissory Note for additional details. Capitalization increases both the principal balance and total loan cost.

Available repayment options

Payment plans are available for federal loans, including Income-Based, Income-Sensitive, Graduated, and Extended Repayment plans, and loan consolidation. Repayment options may also be available for private loans. Both federal and private loans may have options for deferment, forgiveness, cancellation, discharge, and forbearance. Unlike federal student loans, private student loan options vary by lender, loan program, and loan agreement. Some private loan repayment programs may be described in your loan agreement. Additional options may also be available at the lender's discretion. Visit Navient.com to learn more or call us. You can also obtain information about federal student loan options at StudentAid.gov/repay, StudentAid.gov/manage-loans and StudentAid.gov/forgiveness.

Electronic check conversion

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

Alternative Formats

For Alternative Formats, go to: Navient.com/Accessibility

Payments

All payments must be made in U.S. dollars drawn on a U.S. bank.

For assistance with your servicer

Resources are available to assist borrowers who have tried unsuccessfully to resolve a problem through their servicer. Please refer to your state's relevant authority. For federal loans, you can also write to the U.S. Department of Education, FSA Ombudsman, 830 First Street, Fourth Floor, NE, Washington, D.C. 20202-5144.

Your loan servicer

Your loans are serviced by Navient Solutions, LLC (NMLS# 212430).

About this loan table

The loans listed below are referenced in this letter. Visit us at Navient.com to see all the loans we service for you.

The Loan IDs in this table match the Loan IDs displayed in your online account.

The information in the below table pertains to the current forbearance period. Please note that interest is not capitalized for some forbearance types; in such cases, the table will reflect no dollar amounts or dates for anticipated capitalization.

Loan ID	Original Principal	Unpaid Principal	Interest Rate	Unpaid Interest as of 06/01/21	Anticipated Capitalized Amount	Next Anticipated Capitalized Date
1-07	\$ 10,576.00	\$ 2,732.29	8.500%	\$ 226.98	\$ 363.06	01/01/22
1-08	\$ 5,835.00	\$ 1,554.38	8.500%	\$ 129.18	\$ 206.57	01/01/22
1-09	\$ 5,963.00	\$ 1,665.35	8.500%	\$ 138.39	\$ 221.32	01/01/22

PRESORTED
FIRST CLASS



USPS
50042
JUN 07 2021
ZIP 95881
02 1T
3007083